

Outdoor Dining – Temporary Approvals During COVID-19 Emergency Declaration

Henrico County will allow outdoor dining on a temporary basis in accordance with the Forward Virginia Guidelines (<https://www.virginia.gov/coronavirus/forwardvirginia/>). The procedure for approval will be determined based upon proposed site and building improvements.

Definitions

- ***Outdoor dining*** means an outdoor seating area where customers receive table service, or where alcoholic beverages are allowed. Overhead cover is required, such as umbrellas, canopies, or tents without walls.
- ***Convenience seating*** means an outdoor seating area where customers are allowed to consume prepared food (e.g. ice cream, coffee, snacks, light meals) where there is ***no*** table service and ***no*** alcoholic beverages are allowed. (If more than 24 seats, the area will be considered outdoor dining even if there is no table service or alcohol.)

Requirements for Outdoor Dining and Convenience Seating

- Zoning (if you need assistance, contact the Permit Center or the Planning Dept.):
 - Convenience seating is allowed in B-1, B-2, B-3, M-1, M-2, or M-3
 - Outdoor dining is allowed in B-2, B-3, M-1, M-2, or M-3
- Setbacks apply to all proposed tents, fencing, and other structures
- ADA accessibility regulations apply, as well as ingress and egress requirements for tents and other structures as determined by building official
- Fencing may be required by ABC regulations if alcohol is served
- Utility and drainage facilities and easements must not be impacted
- If parking is displaced, Planning Department staff will work with you to identify adequate parking for the proposed outdoor dining area
- Fire lanes, hydrants, and fire department connections must not be impacted
- The outdoor dining area should not be larger than the existing restaurant.

Fees

Henrico County is excited that your business is reopening. As a part of our efforts to help Henrico's business community, the Economic Development Authority will cover the costs of permits for temporary structures needed to facilitate your reopening.

The temporary outdoor dining area must be removed at the end of the COVID-19 state of emergency. County approval is subject to the Forward Virginia Guidelines available at (<https://www.virginia.gov/coronavirus/forwardvirginia/>).

Application Process for Temporary Outdoor Dining

The following application procedures apply to outdoor dining. (No formal approval is required for convenience seating.)

Option 1 - all proposed temporary outdoor dining will be located on existing paved surfaces, and there will be no new structures that require a building permit (e.g. tents, if any, will not exceed 900 square feet). Please provide the following to the Planning Department:

- Temporary outdoor dining checklist (attached)
- Schematic site plan utilizing existing site layout (available upon request to the Planning Department) with proposed outdoor dining facilities including:
 - Tents (less than 900 square feet)
 - tables and seating
 - fencing
 - exits and entrances into temporary outdoor seating area
 - restroom locations
 - parking calculations

Option 2 - all proposed temporary outdoor dining will be located on existing paved surfaces and will include one or more structures that require a building permit (e.g. a tent covering 900 square feet or more). Please provide the following to the Department of Building Construction and Inspections:

- Temporary outdoor dining checklist (attached)
- Building permit application
- Schematic site plan with building permit showing the following (no additional fee):
 - Tents (900 square feet or more)
 - tables and seating
 - fencing
 - exits and entrances into temporary outdoor seating area
 - restroom locations
 - parking calculations

Option 3 - applies to restaurants where temporary outdoor dining will require construction of any new paved surfaces and will include one or more structures that require a building permit (e.g. a tent covering 900 square feet or more). The applicant must submit the following:

- Temporary outdoor dining checklist (attached)
- Building permit application to the Department of Building Inspections
- Administrative site plan with application to the Planning Department, showing the following:
 - all proposed areas to be paved
 - tents
 - tables and seating
 - fencing
 - exits and entrances into temporary outdoor seating area
 - restrooms
 - parking calculations
 - all utility and drainage easements

Temporary Outdoor Dining Checklist

Please include the following information with your application for temporary outdoor dining:

☐ **24-hour contact information**

- Contact's "printed" name
- Contact's signature
- Date
- Phone number
- Email

☐ **Site Plan detailing layout of proposed operations including, but not limited to:**

- Location of tables
- Seating
- Tents
- Portable toilets
- Parking areas
- Fencing
- Exits and entrances into temporary area, etc.

☐ **Property owner Information:**

- Owner's name
- Owner's signature
- Owner's Address (to include city, state, zip)
- Owner's Phone
- Owner's email

☐ **Affidavit from property owner certifying, under penalty of law, that they are the owner of the restaurant and authorize temporary outdoor restaurant operations, which includes agreement to the following conditions:**

- All temporary facilities shall be removed by: _____
- All facilities shall comply with ABC regulations
- All facilities shall comply with Health Department regulations